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S/035/0002
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DATE: June 30, 2009

Ms. Dana Dean, Associate Director - Mining
 Division of Oil, Gas & Mining
 Utah Department of Natural Resources
 P.O. Box 145801
 Salt Lake City, Utah 84114 - 5801
 Attn: Paul Baker, Minerals Regulatory Program

Re: M/035/002 – Bingham Canyon Mine
 Compliance - May 12, 2008 Order Vacating NOV #N2007-58-01
 Quarterly Report #5

Pursuant to the May 12, 2008 Order, Kennecott Utah Copper LLC (KUC) reports the following significant actions and progress during the period January 1, 2009 through March 31, 2009 towards satisfaction of all conditions of the Order Vacating NOV #N2007-58-01:

- KUC and UDOGM met 2009-05-28 to review the Kennecott Utah Copper Corporation, *Hydrologic Assessment of the South End Waste Rock Piles, URS Corporation. February 2009* (Register Item 6) submitted 2009-02-27. Division staff present advised KUC that they accept the report as complete but have requested an implementation schedule of the required actions outlined in the report. KUC agreed to prepare and submit an implementation schedule upon the completion and submittal of the DAN-W modelling and waste rock stability study (see below). A review of NOV Vacation Order submittals was also completed.
- DAN-W modelling continues to progress with completion of all work for the additional waste rock stability study and results of DAN-W is anticipated by 2009-07-28 (Register Item 13).

We are also including with this quarterly report for your review Attachment A, Compliance Register which provides the current status of all tasks.

Please contact me or Zeb Kenyon at 801-569-6035, should you have any questions concerning this submittal.

Sincerely,



Chris Kaiser
 Principal Advisor
 Environmental Operations Support
 Kennecott Utah Copper Corporation

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JUN 30 2009

DIV. OF OIL, GAS & MINING

TASK #	TASK COMPONENT	TASK DESCRIPTION	TARGET	STATUS	SUMMARY
1	Project completion of all NOV requirements	Complete all tasks	20090729	In Process	includes all physical and reporting tasks and actions for complete resolution of NOV Vacation Order, including quarterly reporting obligations
2	Storm Water and Sediment Management Plan	Complete all tasks	20090326	Completed 2008-02-28	
3	Storm Water and Sediment Management Plan	Update 2003 Reclamation and Water Management Plan to include a commitment to perform an additional surface hydrology study of the Yosemite drainage	20080611	Completed 2008-08-09	
3-a	Storm Water and Sediment Management Plan	Issue contract for surface water hydrologic study	20080618	Completed 2008-08-09	Contract awarded to URS
3-b	Storm Water and Sediment Management Plan	Initiate detailed contouring in the study area	20080618	Completed 2008-08-28	
4	Storm Water and Sediment Management Plan	Update the schematic/typical design drawing for installed BMP's (desilting basins) and the Eastside Collection System	20090227	Completed 2008-03-28	Submitted to UDOGM
5	Storm Water and Sediment Management Plan	Complete engineering drawings of engineered structures (riser pipes and overflow inlet structure)	20090227	Completed 2008-03-28	Submitted to UDOGM
6	Storm Water and Sediment Management Plan	Completion of a surface water hydrologic study and include as an appendix to the 2003 Reclamation and Water Management Plan	20090227	Completed 2008-03-28	Submitted to UDOGM
7	Storm Water and Sediment Management Plan	Include updated schematic/design drawing of desilting basins and the Eastside Collection System as well as engineering drawings as an Appendix to the 2003 Reclamation and Water Management Plan	20090326	Completed 2008-03-27	Submitted to UDOGM & UDWQ
8	Storm Water and Sediment Management Plan	Update text within 2003 Reclamation and Water Management Plan to include a reference to the appendix with the drawings	20090326	Completed 2008-03-28	Submitted to UDOGM & UDWQ
9	Sediment Sampling and Removal	Update text within 2003 Reclamation and Water Management Plan to include a reference to the appendix with the drawings	20081024	Completed 2008-08-28	Submitted to UDOGM
10	Sediment Sampling and Removal	Update 2003 Reclamation and Water Management Plan to include general wording regarding sediment sampling methodology similar to text submitted March 20, 2008	20080611	Completed 2008-08-28	Submitted to UDOGM
11	Sediment Sampling and Removal	Completion of sediment sampling	20080827	Completed 2008-06-21	Submitted to UDOGM
12	Sediment Sampling and Removal	Submittal of analytical results and a map showing the location of the excavated sediment sampling locations and Copper Nitch	20081024	Completed 2008-06-21	Submitted to UDOGM
13	Additional Slope Stability Study for Waste Rock within the South End Drainages	Complete all work for submittal of the additional waste rock stability study and results of DAN-W as an appendix to the 2003 plan	20090728	To Be Completed	Rough draft of modeling and report currently under KUC review
14	Additional Slope Stability Study for Waste Rock within the South End Drainages	Update the text within the 2003 Reclamation and Water management Plan to include a commitment to perform DAN-W modeling and an additional slope stability study	20080611	Completed 2008-08-28	
15	Additional Slope Stability Study for Waste Rock within the South End Drainages	Update the text within the 2003 Reclamation and Water management Plan to show that the original August 16, 2004 slope stabilization study has been completed and attach the study as an appendix to the 2003 plan	20081024	Completed 2008-08-21	
16	Additional Slope Stability Study for Waste Rock within the South End Drainages	Complete all #16 Tasks	20090729	To Be Completed	See Summary 16-a & 16-b
16-a	Additional Slope Stability Study for Waste Rock within the South End Drainages	Award contract and initiate work on DAN-W	20080619	Completed 2008-07-01	
16-b	Additional Slope Stability Study for Waste Rock within the South End Drainages	Initiate work on additional waste rock stability study	20080619	Completed 2008-07-01	